



01762.010200

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Frantisek EISINGER

Application No.: 10/786,061

Filed: February 26, 2004

For: APPARATUS FOR AND METHOD  
OF CLASSIFYING PARTICLES  
DISCHARGED FROM A VERTICAL  
MILL

)  
:  
Examiner: J. C. Rodriguez  
)  
:  
Group Art Unit: 3653  
)  
:  
Confirmation No.: 3296  
)  
:  
)  
:  
June 22, 2006  
):

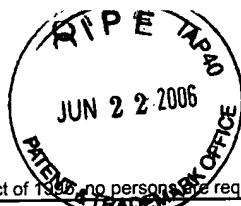
**Mail Stop Amendment**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT IN RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

In response to the Notice of Non-Compliant Amendment dated May 22, 2006, please amend the above-identified application as follows:



PTO/SB/17 (01-06)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number

**Complete if Known**

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818)

# FEE TRANSMITTAL For FY 2006

<input type="checkbox"/> Applicant claims small entity status. See 37 C.F.R. 1.27	
<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$ 0.00)</b>

Application Number

10/786,061

Filing Date

February 26, 2004

First Named Inventor

Frantisek EISINGER

Examiner Name

J. C. Rodriguez

Art Unit

3653

Attorney Docket No.

01762.010200

**METHOD OF PAYMENT** (check all that apply)

Check     Credit Card     Money Order     None     Other (please identify): \_\_\_\_\_

Deposit Account    Deposit Account Number: 06-1205    Deposit Account Name: Fitzpatrick, Cella, Harper & Scinto

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below     Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) under 37 C.F.R. 1.16 and 1.17     Credit any overpayments

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES	
	Fee (\$)	Fee (\$)	Small Entity	Fee (\$)	Fee (\$)	Small Entity
Utility	300	150		500	250	
Design	200	100		100	50	
Plant	200	100		300	150	
Reissue	300	150		500	250	
Provisional	200	100		0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

**Small Entity****Fee (\$)**    **Fee (\$)**

50    25

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

200    100

Multiple dependent claims

360    180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	
15	- 20 or (HP)	= 0	x 50.00 = 0.00	Fee (\$)	Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
2	- 3 or (HP)	= 0	x 200.00 = 0.00

HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification, drawings, and any Preliminary Amendment exceed 100 sheets of paper in total, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	- 100 = _____	/ 50 = _____ (round up to a whole number) x _____ = _____		

**4. OTHER FEE(S)**

Non-English Specification,    \$130 fee (no small entity discount)

Other: \_\_\_\_\_

Fees Paid (\$)

SUBMITTED BY			
Signature		Registration No. 33,326 (Attorney/Agent)	Telephone 212-218-2100
Name (Print/Type)	Steven E. Warner		Date: June 22, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.